

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Health Tech Harbor, Inc.*

In re:

HEALTH TECH HARBOR, INC.,

Alleged Debtor.

Involuntary Chapter 7

Case No. 20-19017 (RG)

Hearing Date: June 15, 2021
11:00 a.m.

**NOTICE OF ALLEGED DEBTOR'S CROSS-MOTION FOR RELIEF FROM THAT
CERTAIN CONSENT ORDER APPROVING STIPULATION RESOLVING MOTION
TO DISMISS INVOLUNTARY PETITION (DKT. 68) AND FOR CERTAIN OTHER
RELATED RELIEF**

PLEASE TAKE NOTICE that Health Tech Harbor, Inc. ("HTH"), the above-captioned Alleged Debtor, by and through the undersigned counsel, is hereby moving the United States Bankruptcy Court for the District of New Jersey (Newark Vicinage), located at Martin Luther King, Jr. Federal Building, 50 Walnut Street, 3rd Floor, Newark, NJ 07102, for entry of an order pursuant to Fed. R. Civ. P. 60(b), as made applicable pursuant to Fed. R. Bankr. P. 9024, for relief from that certain Consent Order Approving Stipulation Resolving Motion to Dismiss Involuntary Petition (Dkt. 68) (the "Consent Order") by vacating the Consent Order and deeming

the Stipulation Resolving Motion to Dismiss Involuntary Petition (Dkt. 67) (the “Stipulation”) breached by the Petitioning Creditors¹ and null and void, (B) scheduling and evidentiary hearing on the HTH’s Cross-Motion, (C) in the interim, granting temporary relief from the Consent Order and Stipulation extending the July 20, 2021 deadline established therein pending the Court’s final determination of HTH’s Cross-Motion, and (D) granting such other and further relief as the Court deems just and proper (the “Cross-Motion”).

PLEASE TAKE FURTHER NOTICE that the Cross-Motion is in response to that certain Motion for Immediate Entry of an Order for Relief filed on behalf of certain of the Petitioning Creditors (Dkt. 70) (the “Petitioning Creditors’ Motion”).

PLEASE TAKE FURTHER NOTICE that a hearing on the Petitioning Creditors’ Motion and HTH’s Cross-Motion is currently scheduled to be held on June 15, 2021 at 11:00 a.m., or as soon thereafter as the parties can be heard.

PLEASE TAKE FURTHER NOTICE that the hearing may be conducted entirely or partly by telephone through and pursuant to the Court’s service provider, CourtSolutions.

PLEASE TAKE FURTHER NOTICE that HTH shall be relying upon the Declarations of Lawrence H. Margolis, Cheryl Fine and Danial M. Stolz submitted herewith in opposition to the Petitioning Creditors’ Motion and in support of HTH’s Cross-Motion.

¹ As used herein, the “Petitioning Creditors” shall refer to, collectively, (A) the original Petitioning Creditors who signed the Involuntary Petition commencing the above-captioned case, Ramachandra Malya, Whealthcare LLC, Annette Catino and John Lloyd (collectively, the “Original Petitioning Creditors”) and (B) the following parties who filed joinders to the Involuntary Petition (the following parties being referred to herein as, collectively, “the Additional Petitioning Creditors”): Aashisha Pandya (Dkt. 17); Devesh Pandya (Dkt. 18); Doraraju Kurusamy (Dkt. 19); Kavita Majithia (Dkt. 27); Krishnan Murthi Kurusamy (Dkt. 15); Lily Y. Loh (Dkt. 20); Madhavi Chenna (Dkt. 14); Manmath Panda (Dkt. 30); Mohammed Ahmed (Dkt. 32); PH Vanodia (Dkt. 16); Ravi Chenna (Dkt. 14); Sanjaykumar R Kamani (Dkt. 28); Umesh Kumar (Dkt. 21); Vijay Koka (Dkt. 22); and Vishal Patel (Dkt. 23).

PLEASE TAKE FURTHER NOTICE that, in accordance with D.N.J. LBR 9013-2(a)(2), reply or opposition papers, if any, to the Cross-Motion must be filed and served not later than four (4) days before the hearing date.

PLEASE TAKE FURTHER NOTICE that the form of proposed Order is submitted herewith.

Dated: June 8, 2021

Respectfully submitted,

/s/ Gregory S. Kinois

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